UNITED
NATIONS

CAT

Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

Distr.
GENERAL

CAT/C/13
7 March 1991

Original: ENGLISH

COMMITTEE AGAINST TORTURE
Sixth session
Geneva
22 April - 3 May 1991

PROVISIONAL AGENDA AND ANNOTATIONS

Note by the Secretary-General

1. The sixth session of the Committee against Torture will be held at the United Nations Office at Geneva from 22 April to 3 May 1991. The first meeting of the session will be convened on Monday, 22 April 1991 at 10.30 a.m.

2. In accordance with rule 6 of the rules of procedure, the Secretary-General has prepared, in consultation with the Chairman of the Committee, the attached provisional agenda for the sixth session. Annotations to the provisional agenda are also attached.

3. Pursuant to rule 31 of the rules of procedure, the meetings of the Committee will be held in public unless the Committee decides otherwise or it appears from the relevant provisions of the Convention that the meetings should be held in private.

4. The attention of the States parties is drawn, in particular, to the annotations to item 5, which contain the tentative timetable for the consideration of reports at the sixth session. In accordance with rule 66 of the rules of procedure, representatives of States parties are invited to attend the meetings of the Committee when their reports are examined.

PROVISIONAL AGENDA

1. Adoption of the agenda.

2. Solemn declaration by a member of the Committee appointed under article 17, paragraph 6, of the Convention.

3. Organizational and other matters.

4. Submission of reports by States parties under article 19 of the Convention.

5. Consideration of reports submitted by States parties under article 19 of the Convention.

6. Consideration of information received under article 20 of the Convention.

7. Consideration of communications under article 22 of the Convention.

8. Future meetings of the Committee.

9. Action by the General Assembly at its forty-fifth session:

   (a) Annual report submitted by the Committee under article 24 of the Convention;

   (b) Effective implementation of international instruments on human rights, including reporting obligations under international instruments on human rights.

10. Annual report of the Committee on its activities.

ANNOTATIONS

1. Adoption of the agenda

Under rule 8 of the rules of procedure, the first item on the provisional agenda of any session shall be the adoption of the agenda, except for the election of officers when required under rule 15. In accordance with rule 9, during a session the Committee may revise the agenda and may, as appropriate, defer or delete items; only urgent and important items may be added to the agenda.

2. Solemn declaration by a member of the Committee appointed under article 17, paragraph 6, of the Convention

Following the resignation of Mr. Alfredo R.A. Bengzon from member of the Committee and in accordance with article 17, paragraph 6, of the Convention and rule 13 of the rules of procedure, Mr. Antonio P. Perlas, a national of the Philippines, has been appointed as a member of the Committee to serve for the remainder of the term of Mr. Bengzon which will expire on 31 December 1991. In accordance with rule 14 of the rules of procedure, the newly appointed member will make the following solemn declaration:

> "I solemnly declare that I will perform my duties and exercise my powers as a member of the Committee against Torture honourably, faithfully, impartially and conscientiously."

3. Organizational matters

Under this item, the Committee may wish to consider its programme of work for the session as well as any other matter concerning the modalities of discharging its functions under the Convention.

4. Submission of reports by States parties under article 19 of the Convention

In accordance with rule 65 of its rules of procedure, the Committee at its fifth session decided to request the Secretary-General to continue sending reminders automatically to those States parties whose initial reports were more that 12 months overdue, and subsequent reminders every six months.

Initial reports under article 19 of the Convention were due in 1988 from the 27 States parties listed in document CAT/C/5. By notes verbales dated 25 May 1989, 21 December 1989, 26 June 1990 and 15 January 1991, the Secretary-General requested the States parties which had not yet submitted their initial reports in 1988 to do so as soon as possible, for appropriate transmission to the Committee.

Under rule 65 of the rules of procedure, the Secretary-General is required to notify the Committee at each session of all cases of non-submission of reports. Accordingly, the six States parties whose initial reports were due in 1988, but had not been received as at 5 March 1991, are listed below:

State party	Date on which the initial report was due
Belize	25 June 1988
Bulgaria	25 June 1988
Luxembourg	28 October 1988
Togo	17 December 1988
Uganda	25 June 1988
Uruguay	25 June 1988

Furthermore, initial reports under article 19 of the Convention were due in 1989 from the 10 States parties listed in document CAT/C/7. Pursuant to the decision of the Committee at its fifth session, the Secretary-General, by notes verbales dated 15 January and 22 February 1991, requested for the second time the States parties which had not yet submitted their initial reports in 1989 to do so as soon as possible, for appropriate transmission to the Committee. The names of the two States whose initial reports were due in 1989, but had not been received as at 5 March 1991, are given below:

State party	Date on which the initial report was due
Guyana	17 June 1989
Peru	5 August 1989

The 11 States parties whose initial reports under article 19 of the Convention were due in 1990 are listed in document CAT/C/9. The list of eight States parties whose initial reports were due in 1990, but had not been received by 5 March 1991, is given below:

State party	Date on which the initial report was due
Australia	6 September 1990
Brazil	27 October 1990
Guinea	8 November 1990
Italy	10 February 1990
Libyan Arab Jamahiriya	14 June 1990
Poland	24 August 1990
Portugal	10 March 1990
United Kingdom of Great Britain and Northern Ireland	6 January 1990

At its third, fourth and fifth sessions, the Committee also decided to request seven States parties whose initial reports had been considered during those sessions to furnish an additional report pursuant to rule 67, paragraph 2, of its rule of procedure. The additional reports of Cameroon, China and Ecuador which had been requested by 30 June 1990, 31 December 1990 and 28 February 1991, respectively, had not been received as at 5 March 1991. The additional report of Senegal requested by the Committee at its fourth session without specifying a date of submission also had not been received by 5 March 1991.

The list of seven States parties whose initial reports under article 19 of the Convention are due in 1991 appears in document CAT/C/12.

5. Consideration of reports submitted by States parties under article 19 of the Convention

A tentative timetable for the consideration of reports at the sixth session, prepared by the Secretary-General in consultation with the Chairman and subject to approval by the Committee, is given below:

Tuesday, 23 April 1991

Panama	CAT/C/5/Add.24

Wednesday, 24 April 1991

Chile (additional report)	CAT/C/7/Add.9

Thursday, 25 April 1991

Algeria	CAT/C/9/Add.5

In accordance with rule 66 of the rules of procedure, the Secretary-General has informed the States Parties concerned of the tentative dates on which their respective reports are scheduled for consideration by the Committee at its sixth session and has invited them to designate representatives to attend the meetings of the Committee.

General guidelines regarding the form and contents of initial reports to be submitted by States parties under article 19 of the Convention, which were adopted by the Committee at its third session, are reproduced in document CAT/C/4/Rev.1. The texts of reservations, declarations, etc., made by States parties with respect to the Convention are contained in document CAT/C/2/Rev.1.

6. Consideration of information under article 20 of the Convention

In accordance with the provisions of chapter XVII of its rules of procedure, the Committee will consider under this item information which is, or appears to be, submitted for its consideration under article 20 of the Convention.

In accordance with the provisions of article 20, paragraph 5, of the Convention and rules 72 and 73 of the rules of procedure, all documents and proceedings of the Committee relating to its functions under article 20 of the Convention shall be confidential and all the meetings concerning its proceedings under that article shall be closed.

7. Consideration of communications under article 22 of the Convention

In accordance with the provisions of chapter XIX of its rules of procedure, the Committee will consider under this item communications which are, or appear to be, submitted to it under article 22 of the Convention.

In accordance with article 22, paragraph 6, of the Convention and rule 101, paragraph 1, of the rules of procedure, meetings of the Committee or its subsidiary bodies during which communications under article 22 of the Convention are examined shall be closed.

8. Future meetings of the Committee

In accordance with rule 2 of its rules of procedure, the Committee shall normally hold two regular sessions each year. Regular sessions of the Committee shall be convened at dates decided by the Committee in consultation with the Secretary-General, taking into account the calendar of conferences as approved by the General Assembly.

As the calendar of meetings held within the framework of the United Nations is submitted by the Secretary-General on a biennial basis for the approval of the Committee on Conferences and the General Assembly, the Committee may wish to take decisions under this item on the schedule of its meetings to be held in 1992 and 1993.

9. Action by the General Assembly at its forty-fifth session

This item is included in the provisional agenda of the Committee, with a view to enabling the Committee to consider the follow-up action given to its activities, on the basis of its annual reports submitted under article 24 of the Convention, by the General Assembly and other United Nations organs as well as to consider other matters of interest.

(a) Annual report submitted by the Committee against Torture under article 24 of the Convention */.

The Committee will have before it the summary records of the Third Committee of the General Assembly pertaining to the discussion of the annual report (A/C.3/45/SR.35-42) as well as General Assembly resolution 45/142 of 14 December 1990 on the status of the Convention.

(b) Effective implementation of international instruments on human rights, including reporting obligations under international instruments on human rights.

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*/ Official Records of the General Assembly, Forty-fifth Session, Supplement No. 44 (A/45/44 and Corr.1).

The Committee will have before it a note by the Secretary-General transmitting the report of the third meeting of persons chairing the human rights treaty bodies which was held at the United Nations Office at Geneva from 1 to 5 October 1990 (A/45/636, annex).

The Committee will also have before it General Assembly resolution 45/85 of 14 December 1990 and the relevant resolutions adopted by the Commission on Human Rights at its forty-seventh session.

10. Adoption of the annual report of the Committee on its activities

In accordance with article 24 of the Convention, the Committee shall submit an annual report on its activities to the States parties and to the General Assembly.

At its second session, the Committee decided to adopt its annual report at the end of its spring session for appropriate transmission to the General Assembly during the same calendar year. Accordingly, the annual report to be submitted to the General Assembly at its forty-sixth session will include the activities of the Committee at its fifth and sixth sessions.